

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

JOHN HANCOCK LIFE INSURANCE
COMPANY, JOHN HANCOCK VARIABLE
LIFE INSURANCE COMPANY, and
MANULIFE INSURANCE COMPANY (f/k/a
INVESTORS PARTNER INSURANCE
COMPANY),

Plaintiffs,

v.

ABBOTT LABORATORIES,

Defendants.

CIVIL ACTION NO. 05-11150-DPW
Hon. Judge Douglas P. Woodlock

ABBOTT’S OBJECTIONS TO AFFIDAVIT OF SCOTT S. HARTZ

Defendant Abbott Laboratories (“Abbott”) objects to the introduction in evidence of paragraphs 38 and 39 of the Affidavit of Scott S. Hartz on grounds of lack of foundation and hearsay. Abbott further objects on the same grounds to paragraphs 40, 41, and 42 to the extent they incorporate paragraphs 38 and/or 39. Each of these paragraphs purports to present Mr. Hartz’s “present understanding” regarding the “actual” or “true” “condition of, and prospects for” the three compounds at issue, including his “understanding” of internal Abbott events. Mr. Hartz is an employee of John Hancock, not Abbott, and did not attend Abbott internal meetings. His testimony is necessarily based on his interpretation of Abbott documents that he did not author or receive (or on Hancock’s briefs), not personal knowledge. The purported “testimony” is nothing more than an improper summary of Hancock’s arguments regarding the “actual” or “true” “condition of, and prospects for” the three compounds.

ABBOTT LABORATORIES

By its attorneys

/s/ Eric J. Lorenzini

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Dated: February 28, 2008

CERTIFICATE OF SERVICE

I hereby certify that this document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on February 28, 2008.

Date: February 28, 2008.

/s/ Eric J. Lorenzini